

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

PROGRESSIVE PLUMBING, INC.,
PROGRESSIVE SERVICES, LLC, and
GRACIOUS LIVING DESIGN
CENTER, INC.

Debtors.

PROGRESSIVE PLUMBING, INC.,

Plaintiff/Debtor,

v.

THE EVERGREEN CORPORATION,
and ALLIED WORLD SPECIALTY
INSURANCE COMPANY,

Defendants.

Chapter 11

Case No.: 6:15-bk-07275-KSJ

Jointly Administered with

Case No.: 6:15-bk-07276-KSJ

Case No.: 6:15-bk-07277-KSJ

Adv. Pro. No. 6:15-ap-00145-KSJ

AGREED MOTION TO CONTINUE PRETRIAL CONFERENCE

Defendant, The Evergreen Corporation (“Evergreen”), by and through its undersigned counsel and pursuant to Local Rule 5071-1, hereby files this agreed motion to continue the pretrial conference and says:

1. The pretrial conference in this adversary proceeding is scheduled for March 30, 2016 at 2:00 p.m.
2. Evergreen and Defendant, Allied World Specialty Insurance Company (“Allied”), have agreed to mediate Evergreen’s claims against Allied, including the surety bond claim and the other claims that are the subject of this adversary proceeding. If successful, the mediation could fully resolve or substantially resolve the issues in this adversary proceeding.

3. The mediation is scheduled to occur in Atlanta, Georgia on April 13, 2016 in the context of the litigation pending there between Evergreen and Allied on the bond claim and the related claims.

4. In light of this development, all parties to this adversary proceeding are seeking a continuance of the pretrial conference until a date in mid-May 2016 to allow the parties sufficient time to complete the mediation and memorialize any settlement that might be reached.

5. The undersigned certifies that all parties to this adversary proceeding consent to the relief requested in this motion.

WHEREFORE Defendant, The Evergreen Corporation, requests that the Court enter an order granting a continuance of the pretrial conference and such further relief as the Court deems just and proper.

/s/ Michael A. Tessitore
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served electronically or by United States Mail on the 22nd day of March, 2016 to: Michael A Nardella, Esq., Nardella & Nardella, PLLC, 250 East Colonial Drive, Ste. 102, Orlando, FL 32801 Roman V. Hammes, Esq., Roman V. Hammes, P.L., 250 East Colonial Drive, Suite 305, Orlando, FL 32801 and Jonathan P. Cohen, Esq., Jonathan P. Cohen, P.A., 500 E. Broward Blvd., Suite 1710, Fort Lauderdale, FL 33394.

/s/ Michael A. Tessitore